

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OMAR WILSON,

Plaintiff,

v.

CHESTER TOWNSHIP POLICE
DEPARTMENT, et al.,

Defendants.

CIVIL ACTION
NO. 22-949

ORDER

AND NOW, this 13th day of March 2023, upon consideration of Plaintiff's Motion for Leave to File Amended Complaint (ECF 13) and Defendants' Response (ECF 15), it is hereby **ORDERED** that Plaintiff's Motion is **DENIED without prejudice**.

Plaintiff may refile his Motion for Leave to Amend, with a Proposed Second Amended Complaint attached, no later than April 12, 2023.¹

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ Because Defendants do not consent, and Plaintiff has amended once before, the Court must determine whether leave to amend is appropriate. Fed. R. Civ. P. 15(a)(2). Courts should "freely" grant leave when "justice so requires," and this mandate is "to be heeded." *Id*; *Foman v. Davis*, 371 U.S. 178, 182 (1962). Plaintiff's Motion only includes a vague description of his proposed amendments. Plaintiff must provide a Proposed Second Amended Complaint so the Court can fully evaluate whether justice requires granting his request. *See Heyl & Patterson Int'l, Inc. v. F.D. Rich Housing*, 663 F.2d 419, 425 (3d. Cir. 1981). Should Plaintiff's refiled Motion be granted, his Proposed Second Amended Complaint will be deemed filed at that time.